

REMARKS

Claims 2-10 and 13-20 are pending in the application.

Claims 2-10 and 13-20 have been rejected.

Claims 15-20 have been canceled, without prejudice

Claims 2-6 and 13-14 have been amended, as set forth herein.

I. **REJECTION UNDER 35 U.S.C. § 102**

Claims 2-10 and 13-20 were rejected under 35 U.S.C. § 102(b) as being anticipated by Faltings (US 5,705,982). The rejection is respectfully traversed.

A cited prior art reference anticipates the claimed invention under 35 U.S.C. § 102 only if every element of a claimed invention is identically shown in that single reference, arranged as they are in the claims. MPEP § 2131; *In re Bond*, 910 F.2d 831, 832, 15 U.S.P.Q.2d 1566, 1567 (Fed. Cir. 1990). Anticipation is only shown where each and every limitation of the claimed invention is found in a single cited prior art reference. MPEP § 2131; *In re Donohue*, 766 F.2d 531, 534, 226 U.S.P.Q. 619, 621 (Fed. Cir. 1985).

Applicant has amended independent Claims 2, 13 and 14 to recite that (1) if the intercepted plurality of key codes is unauthorized, at least one of the plurality of intercepted key codes is blocked from being transmitted to a higher level driver, and (2) if the intercepted plurality of key codes is authorized, the plurality of key codes is transmitted to the higher level driver.

In Faltings, when a PIN code is entered and authorized (or not authorized), the micro-controller follows predetermined instructions in accordance with the programming of the micro-controller. Col. 5, lines 16-22, see also, Figure 1. There is no disclosure that the authorized PIN code is passed or transmitted to another element (e.g., a higher level driver) within the system (for eventual further processing within the system). In accordance with the Applicant's claims, when the key codes are determined to be authorized, at least one of the key codes is transmitted to a higher level driver.¹

Accordingly, the Applicant respectfully requests the Examiner withdraw the § 102(b) rejection of Claims 2-10 and 13-14.

II. CONCLUSION

As a result of the foregoing, the Applicant asserts that the remaining Claims in the Application are in condition for allowance, and respectfully requests an early allowance of such Claims.

¹ With respect to Claims 8 and 9, the Office Action has failed to make a prima facie showing of anticipation. Claims 8 and 9 each recite numerous elements and the Office Action has failed to identify with specificity where each of these elements is found in the Faltings reference.

If any issues arise, or if the Examiner has any suggestions for expediting allowance of this Application, the Applicant respectfully invites the Examiner to contact the undersigned at the telephone number indicated below or at *rmccutcheon@munckbutrus.com*.

The Commissioner is hereby authorized to charge any additional fees connected with this communication or credit any overpayment to Munck Butrus Deposit Account No. 50-0208.

Respectfully submitted,

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